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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,333	03/06/2002	Imed Gharsalli	01-484	9000

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EXAMINER	
NGUYEN, KIMNHUNG T	
ART UNIT	**PAPER NUMBER**
2677	

DATE MAILED: 09/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/092,333	GHARSALLI ET AL.	
	Examiner	Art Unit	
	Kimnhung Nguyen	2677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This Application has been examined. The claims 1-15 are pending. The examination results are as following.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Takamura (JP 05-263435).

Regarding claim 1, Takamura discloses in figure 3, a method for controlling a parameter of at least one signal including the steps of: receiving a desired command signal from at least one control input (see lever 6 operator on a neutral position, see abstract), determining a potential condition for receiving an undesired command signal from at least one other control input (see lever 6 is inadvertently operated, see abstract); controlling a parameter of an undesired command signal received from the at least one other control input in response to the potential condition (see the lever 6 does not reach the preset value of a down side neutral position dead zone S3 setter, and see 0016), delivering the desired command signal and the undesired command signal to at least one output (see 0014).

Regarding claim 2, Takamura discloses in fig. 3, the receiving a desired command signal includes the step of receiving a desired command signal from at least one axis of a joystick (see operator of lever 6, see abstract).

Regarding claim 3, Takamura discloses in fig. 3, the receiving a desired command signal includes the step of receiving a desired command signal from at least one level (see lever 6, see abstract).

Regarding claim 4, Takamura discloses that the receiving a desired command signal includes the step of receiving a desired command signal from an automated program (see 0002).

Regarding claim 5, Takamura discloses the receiving a desired command signal includes the step of receiving a desired command signal from a proportional output device (see fig.3, see 0004).

Regarding claim 6, Takamura discloses that the controlling a parameter of an undesired command signal includes the step of increasing an amount of deadband of the at least one other control input (see operator lever 6 does not reach the preset value of a down side neutral position dead zone S3 setter, and see dead zone for a desired actuator larger than the inadvertent overshoot quantity of the operating device, see abstract).

Regarding claim 7, Takamura discloses that the controlling a parameter of an undesired command signal includes the step of controlling a gain parameter of the at least one other control input (see dead zone for a desired actuator larger than the inadvertent overshoot quantity of the operating device, see abstract).

Regarding claim 8, Takamura discloses in fig. 3, an apparatus for controlling a parameter of at least one signal, comprising: a plurality of control inputs (see operator lever 6 having multiple positions from P4, P13, P14 and P15, see abstract); and a controller (see electronic controller lever, see 0002) for receiving a first command signal from at least one control input lever 6) determining a potential condition for receiving an undesired command signal from at

least one other control input; receiving a second command from the at least one other input (see lever 6 from a raising, see abstract, see 0016); controlling a parameter of the second command signal in respond to the potential condition; and delivering the first and second command signals to at least one output (see 0002).

Regarding claim 9, Takamura discloses in fig. 3, the plurality of control inputs includes a joystick (see lever 6 shifted to multiple positions).

Regarding claim 10, Takamura discloses the joystich includes a plurality of axes, each axis providing an associated control input (because the lever 6 can shift anywhere).

Regarding claim 11, Takamura discloses the plurality of control inputs includes at least one level (see lever 6 shifted from P4, 13, 14, 15, see abstract).

Regarding claim 12, Takamura discloses the plurality of control inputs includes at least one automated program for initiating a command signal (see 0002).

Regarding claim 13, Takamura discloses the plurality of control inputs includes at least one proportional output device (see 0002, 0004).

Regarding claim 14, Takamura discloses in fig. 3, the plurality of control inputs includes at least one of a joystick (see abstract).

Regarding claim 15, Takamura discloses in fig. 3, the controller includes an input/output control interface; and a deadband control function (see dead zone, see abstract).

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki (JP 02-230410).

Regarding claim 1, Suzuki discloses in fig. 2, a method for controlling a parameter of at least one signal including the steps of (see preparing plural additional dead zone, see abstract): receiving a desired command signal from at least one control input (see lever 2, see abstract), determining a potential condition for receiving an undesired command signal (see signal for misoperation, see abstract) from at least one other control input; controlling a parameter of an undesired command signal received from the at least one other control input in response to the potential condition (see preparing plural additional dead zone, see abstract), delivering the desired command signal and the undesired command signal to at least one output (see signals to be sent to the working actuators, see abstract).

Response To Arguments

4. Applicant's arguments with respect to claims 1-15 filed on 8/16/05 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen
September 7, 2005

ALEXANDER EISEN
PRIMARY EXAMINER
TECHNOLOGY CENTER 2600